

2nd AMENDED  
APPLICATION FOR PERMIT  
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Nº 40186

Date of filing in State Engineer's Office JAN 3 1980

Returned to applicant for correction MAY 19 1980

Corrected application filed JUN 4 1980

Map filed JUN 4 1980

The applicant Board of Nye County Commissioners

P.O. Box 153, of Tonopah,  
Street and No. or P.O. Box No. City or Town

Nevada 89049, hereby make application for permission to appropriate the public  
State and Zip Code No.

waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.)

1. The source of the proposed appropriation is Underground  
Name of stream, lake or other source.

2. The amount of water applied for is 0.10 CFS second-feet  
One second-foot equals 448.83 gals. per min.

(a) If stored in reservoir give number of acre-feet                      acre-feet

3. The water to be used for Quasi Municipal Purposes  
Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.

4. If use is for:

(a) Irrigation (state number of acres to be irrigated)                     

(b) Stockwater (state number and kinds of animals to be watered)                     

(c) Other use (describe fully under "No. 12. Remarks")                     

(d) Power:

(1) Horsepower developed                     

(2) Point of return of water to stream                     

5. The water is to be diverted from its source at the following point: The water will be diverted from it's source at a point within the SW $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 9, T.16S., R.49E., M.D.B.&M. or at a point from whence the N $\frac{1}{4}$  corner of above  
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land, said Section 9 bears N 11°16'31"W, 5044.34 feet distant.  
it should be stated.

6. Place of use SE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$  and the SW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 9, T.16S., R.49E.,  
Describe by legal subdivision, if on unsurveyed land it should be so stated.  
M.D.B.&M.

7. Use will begin about January 1st and end about December 31st, of each year.  
Month and Day Month and Day

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Drill, case and equip an underground well, together with pressure and pipe lines system to the places of  
State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits.  
use

9. Estimated cost of works.....\$30,000.00
10. Estimated time required to construct works.....1 year
11. Estimated time required to complete the application to beneficial use.....5 years
12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Public facilities including county library, sheriff's office sub-stations, County Fire Department, County Road Department and approximately 7.5 acres cemetery land to be developed.

Applicant Board of Nye County Commissioners  
Nye County Surveyor

By s/ Wallace T. Boundy

P.O. Box 153

Tonopah, Nevada 89041

Compared lp/jk gk/ja

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of water begins, or before the Proof of Completion of Work is filed. This source is located within an area designated by the State Engineer, pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.10 cubic feet per second, but not to exceed

12.22 million gallons annually.

Actual construction work shall begin on or before March 26, 1981

Proof of commencement of work shall be filed before April 26, 1981

Work must be prosecuted with reasonable diligence and be completed on or before March 26, 1982

Proof of completion of work shall be filed before April 26, 1982

Application of water to beneficial use shall be made on or before March 26, 1984

Proof of the application of water to beneficial use shall be filed on or before April 26, 1984

Map in support of proof of beneficial use shall be filed on or before

Commencement of work filed..... IN TESTIMONY WHEREOF, I, WILLIAM J. NEWMAN  
Completion of work filed..... State Engineer of Nevada, have hereunto set my hand and the seal of  
Proof of beneficial use filed..... my office, this 26th day of SEPTEMBER  
Cultural map filed.....

Certificate No. Issued JUN 3 1981 A.D. 19 80

CANCELLED

BECAUSE OF FAILURE

OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT

218 (Rev.)

William J. Newman  
STATE ENGINEER

State Engineer